

Message Text

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45

ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 IO-14 DPW-01 AID-20

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15 DRC-01 /163 W

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R 151210Z DEC 73 ZDG
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 0004
INFO AMCONSUL BIEN HOA
AMEMBASSY BUDAPEST
AMCONSUL CAN THO
AMCONSUL DANANG
AMEMBASSY JAKARTA
AMCONSUL NHA TRANG
AMEMBASSY TEHRAN
AMEMBASSY WARSAW
USDEL JEC PARIS

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E.O. 11652: GDS

TAGS: MARR, VS

SUBJ: PRG NOTE TO ICCS

REF: SAIGON 20943

THE FOLLOWING IS THE TEXT OF A NOTE ADDRESSED TO AMB SADRI,
HEAD OF THE IMPERIAL IRANIAN DEL, CHAIRMAN OF THE ICCS,
DATED DEC 10, 1973, TITLED "ON ICCS INVESTIGATIONS AND VIOLA-
TIONS". BEGIN TEXT.

EXCELLENCY, THE PRG RSVN MILITARY DELEGATION TO THE CENTRAL
TWO-PARTY JMC PRESENTS ITS COMPLIMENTS TO YOUR EXCELLENCY, CHJOR-
MAN OF THE ICCS, AND HAS THE HONOUR TO DRAW YOUR ATTENTION
TO THE FOLLOWING:

1/-ACCORDING TO ARTICLES 16, 17 AND 18 OF THE PARIS AGREE-
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MENT ON VIETNAM, ARTICLE 10 OF THE PROTOCOL CONCERNING THE CEASE-

FIRE AND THE JOINT MILITARY COMMISSIONS, AND ARTICLE OF OF THE PROTOCOL CONCERNING THE ICCS, "THE IMPLEMENTATION OF THE AGREEMENT IS THE RESPONSIBILITY OF THE PARTIES SIGNATORY TO IT," "THE FUNCTIONS OF THE ICCS ARE TO CONTROL AND SUPERVISE THE IMPLEMENTATION OF THE PROVISIONS MENTIONED IN ARTICLE 18 OF THE AGREEMENT." IN ADDITION, ARTICLE 14 OF THE PROTOCOL CONCERNING THE CEASE-FIRE AND THE JOINT MILITARY COMMISSIONS, AND ARTICLE 10(C) OF THE PROTOCOL CONCERNING THE ICCS HAVE STIPULATED THAT "THE JOINT MILITARY COMMISSIONS AND THE ICCS SHALL CLOSELY COOPERATE AND ASSIST EACH OTHER IN CARRYING OUT THEIR RESPECTIVE FUNCTIONS."

2/-DUE TO RVN SABOTAGES, THE TWO PARTY JOINT MILITARY COMMISSIONS HAVE SO FAR NOT BEEN ABLE TO BE DEPLOYED AND CARRY OUT THEIR NORMAL ACTIVITIES. THE RVN SIDE HAS INSISTED ON REFUSING REASONABLE CHOICE OF LOCATIONS FOR KRNTCIL AND GBCAL COMMISSIONS' HEADQUARTERS AS PROVIDED FOR BY ARTICLE 11(B) OF THE JUNE 13, 1973 JOINT COMMUNIQUE ON THE ONE HAND, IT HAS EVER GROSSLY BEEN VIOLATING THE IMMUNITIES AND PRIVILEGES ACCORDED THE JOINT MILITARY COMMISSIONS UNDER ARTICLES 16 AND 17 OF THE PROTOCOL CONCERNING THE CEASE-FIRE IN SOUTH VIET-NAM AND ARTICLE 11(A) OF THE JOINT COMMUNIQUE ON THE OTHER. IN SO DOING, THE RVN SIDE DELIBERATELY PARALYZES THE BODIES THAT ENSURE THE IMPLEMENTATION OF THE AGREEMENT, BRAZENLY SABOTAGES THE BASIS OF EQUAL COOPERATION BY THE TWO SOUTH VIETNAMESE PARTIES WITH THE ICCS. THEREFORE, THE ICCS HAS HAD NO CONDITIONS NOR CHANCE TO RECEIVE FULL COOPERATION FROM THE PRG CPVN SIDE AT ALL LEVELS OF THE JMC'S, PARTICULARLY AT THE REGIONAL AND LOCAL ONES. THE RVN SIDE MUST BEAR FULL RESPONSIBILITY FOR THE ABOVE-SAID VERY SERIOUS VIOLATIONS.

3/-PRESENTLY, WHILE THE JOINT MILITARY COMMISSIONS ARE STILL UNABLE TO BE DEPLOYED TO REGIONS AND LOCALITIES AND THE TWO SOUTH VIETNAMESE PARTIES HAVE NOT REACHED AGREEMENTS ON THE LOCATIONS AND OPERATIONS OF THE ICCS-TEAMS (AS PROVIDED FOR IN ARTICLE 18 OF THE PARIS AGREEMENT), THE PRG RVN MILITARY DELEGATION TO THE CENTRAL TWO-PARTY JMC RESPECTFULLY REQUESTS THE ICCS:

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-NOT TO DEPLOY ITS TEAMS TO THE REGIONS AND TEAM SITES (REF. NOTE OF THE FOREIGN MINISTRY OF THE REPUBLIC OF SOUTH VIETNAM, DATED AUGUST 30, 1973).

-NOT TO GIVE ITS REGIONAL TEAMS THE RIGHT TO MAKE DECISIONS ON INVESTIGATIONS AT THE REQUEST OF A PARTY. ANY DECISION MUST BE MADE BY THE CENTRAL ICCS.

4/-IT IS THE HOPE OF THE PRG RSVN SIDE TO OFFER CLOSE
COOPERATION AND ASSISTANCE TO THE ICCS IN DISCHARGING ITS FUNCTIONS,
AND IT
ALSO REQUESTS THAT ANY INVESTIGATIONS MUST BE CONDUCTED IN
CONFORMITY WITH THE PROCEDURES IN THE PARIS AGREEMENT AND THE PRO-
TOCOL CONCERNING THE ICCS.

WITH HIGHEST CONSIDERATION TO YOUR EXCELLENCY, CHAIRMAN OF THE
ICCS. END TEXT.

COMMENT: ACCORDING TO AMB SADRI, CONSIDERATIONS OF
THE NOTE WAS REFERRED TO THE POLITICAL COMMITTEE BY THE
DEC 14 PLENARY.
MARTIN

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